

November 15, 2012

Marlene H Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington DC 20554

**CC Docket No. 02-6
Request for Review**

To Whom It May Concern:

Please accept this correspondence as the Letter of Appeal in accordance with the instructions set forth on the USAC website. According to a Funding Commitment Decision Letter dated July 10, 2012 the application was denied because of a Contract Violation.

An appeal to the Schools and Libraries Division was filed on July 23, 2012, and correspondence from the SLD denied the appeal because "no contract was in place when the FCC Form 471 and Certification was filed". We respectfully disagree.

Below is a brief timeline of this application:

- On December 22, 2011 Form 470 Application #948230000985301 was filed seeking basic telephone service.
- On February 9, 2012, 49 days after the 470 posting the district did not receive any bids/quotes or proposals from service providers.
- Form 471 Application #836810 was filed on February 9, 2012, requesting Month to Month service from the current service provider, Broadview Networks.
- After filing the Form 471 on February 9th, the district received and evaluated several proposals and confirmed that Broadview Networks its current provider was the **lowest cost**.
- On March 12, 2012, at the monthly school board meeting, an amended contract with Broadview Networks (the current service provider) is approved and signed.
- March 19, 2012, a RAL Letter change (as permitted under E-Rate guidelines) was requested to change the term of service from Month to Month to contract as well as the effective date to March 12, 2012 to match the amended agreement.

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- This change and funding request and subsequent USAC appeal was denied because no contract was in place when the Form 471 and Certification were filed.

Because the district complied with the Form 470 and 471 requirements by posting a Form 470 and waiting 49 days (21 more than the minimum) before filing a Form 471 – we feel that the district provided an open and fair process for competitive bidding and met the Form 470 and 471 requirements.

However because the district received bids from several vendors after the 471 posting and did its due diligence in evaluating those proposals for the lowest cost it is being unfairly punished.

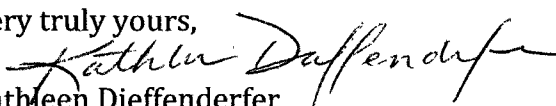
Also because of the impending window deadline of (March 20, 2012) and the delay in processing RAL requests, the district did not have the opportunity to file a new Form 471 or be advised by PIA staff that this RAL change was not permissible.

Therefore, we feel that a waiver for the RAL correction request from month to month to contract and effective date should be granted, or minimally allow the funding request to revert back to month to month and effective date of February 9, 2012, and the requested funding be restored for this application.

Below is a summary of the original application and contact information:

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|-------------------------------|----------------------------------|
| Applicant Name: | Perkiomen Valley School District |
| Billed Entity Number | 126224 |
| Form 471 Application Number: | 836810 |
| Funding Request Number(s): | 2270871 |
| Original Correspondence Date: | July 23, 2012 |

Very truly yours,


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